

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEBORAH M. BERNSTEIN,

Plaintiff,

v.

HANDY RENT-ALL CENTER, d/b/a
DURANTS TENTS & EVENTS,

Defendant.

HANDY RENT-ALL CENTER, d/b/a
DURANTS TENTS & EVENTS,

Third-Party Plaintiff,

v.

GREEN CHIMNEYS CHILDREN'S
SERVICES, INC.,

Third-Party Defendant.

Civil Action No.: 07 CIV 6187

STIPULATION OF DISCONTINUANCE
WITH PREJUDICE *& order*

IT IS HEREBY STIPULATED, by and between the undersigned attorneys for plaintiff, defendant/third-party plaintiff, and third-party defendant, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the plaintiff's Complaint and the defendant/third-party plaintiff's Third-Party Complaint, and any and all cross claims or counterclaims, be, and the same hereby are, discontinued, with prejudice, and without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

So ordered: March 6, 2008

Charles Bileant

USDS

Mar 06 2008 12:43PM LYNCH SCHWARB

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IT IS HEREBY FURTHER STIPULATED, that this Stipulation may be signed in

counterparts.

Dated:

LAW OFFICES OF GREGORY M. BAGEN 317 Clock Tower Commons P.O. Box 380 Brewster, NY 10509 Attorneys for Plaintiff DEBORAH BERNSTEIN By: <u>Gregory M. Bagen</u> GREGORY M. BAGEN, ESQ.	CALLAHAN & FUSCO, LLL 40 Exchange Place, 18 th Floor New York, NY 10003 Attorneys for Defendant/Third-Party Plaintiff HANDY RENT-ALL CENTER, d/b/a DURANTS TENIS & EVENTS By: <u>William A. Sicherl</u> WILLIAM A. SICHERL, ESQ.
LYNCH SCHWARB, PLLC 75 South Broadway, 4 th Floor White Plains, NY 10601 Attorneys for Third-Party Defendant GREEN CHIMNEYS CHILDREN'S SERVICES, INC. By: <u>Louis U. Gasparini</u> LOUIS U. GASPARINI, ESQ.	WAS-2702

CC 2655



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MITCHELL R. AYES ♦
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♦ N.Y.
* N.J. & N.Y.
■ ILL.

March 6, 2008

VIA FACSIMILE (914) 390-4085

Alice Cama, Deputy
United States District Court
Southern District of New York
300 Quarropas Street, Room 633
White Plains, New York 10601

**Re: Deborah Bernstein v. Handy Rent All Center d/b/a Durants Tents & Events
v. Green Chimneys Children's Services, Inc.
Index No.: 07 CIV 6187**

Dear Ms. Cama:

Please be advised that we represent defendant/third-party plaintiff Handy Rent-All Center d/b/a Durants Tents & Events in the above-captioned matter.

Attached please find a Stipulation of Discontinuance With Prejudice executed by all parties. As per our conversation this morning and as this matter has been fully resolved, please allow this correspondence to confirm that the parties will not be appearing at the Status Conference scheduled before the Honorable Charles L. Brieant, U.S.D.J., on March 7, 2008, at 9:30 a.m.

Should you have any questions with respect to the foregoing, please do not hesitate to contact the undersigned.

Respectfully submitted,

William A. Sicheri
WILLIAM A. SICHERI

WAS/cm

cc: Gregory W. Bagen, Esq. (via facsimile only)
Louis U. Gasparini, Esq. (via facsimile only)